

ORDINANCE NO. 86 0227-B

AN ORDINANCE ESTABLISHING BOUNDARIES OF EXTRATERRITORIAL JURISDICTION OF THE CITY OF AUSTIN RESULTING FROM THE ANNEXATION OF TERRITORY ACCOMPLISHED BY ORDINANCE NO. 840607-G; RELEASING CERTAIN AREAS OF EXTRATERRITORIAL JURISDICTION NOT CLAIMED BY THE CITY OF AUSTIN; PROVIDING FOR SEVERABILITY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on June 7, 1984, the City Council enacted Ordinance No. 840607-G whereby certain territory described in that ordinance was annexed into the City of Austin for full purposes and the full purpose boundary limit of the City was thereby extended; and,

WHEREAS, a primary purpose of the annexation accomplished by Ordinance No. 840607-G was to include much of the immediate watershed of Lake Travis located in Travis County in the extraterritorial jurisdiction of the City so that the City would establish jurisdiction to enact ordinances designed to protect the Lake Travis watershed and the water supply of the City; and,

WHEREAS, the expansion of extraterritorial jurisdiction of the City of Austin resulting from the operation of Section 3(b) of the Municipal Annexation Act, Tex. Rev. Civ. Stat. Ann. art. 970a, included territory surrounding the City of Lago Vista and also includes portions of Travis County Municipal Utility District No. 1; and,

WHEREAS, the City Council finds that the purpose of expanding the extraterritorial jurisdiction of the City of Austin is adequately met without including territory in Travis County MUD No. 1; and,

WHEREAS, the City Council finds that it is in the best interests of the current and future citizens of the City of Austin to withdraw any claim to that territory located in Travis County MUD No. 1 which is within the extraterritorial jurisdiction of the City of Austin.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. That the five (5) mile extension of extraterritorial jurisdiction of the City of Austin resulting by the operation of state law from the annexation accomplished by Ordinance No. 840607-G be, and it hereby is, withdrawn and released from the extraterritorial jurisdiction of the City of Austin to the extent that such extension of extraterritorial jurisdiction includes any territory which is currently located within the boundaries of Travis County Municipal Utility District No. 1 as said territory is illustrated by the map attached hereto and incorporated herein as Exhibit "A".

PART 2. That notwithstanding any other provisions of the Austin City Code of 1981 or other applicable law, territory withdrawn and released from the extraterritorial jurisdiction of the City of Austin pursuant to PART 1 above shall not be deemed or construed to be included within the extraterritorial jurisdiction of the City of Austin for any purpose and the present boundary limits of extraterritorial jurisdiction of the City of Austin are hereby altered and amended to reflect the withdrawal of any claim by the City of Austin that such territory is included within its extraterritorial jurisdiction.

PART 3. If any provision, section, subsection, sentence, clause or phrase of this ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, or invalid, the invalidity of the remaining portions of this ordinance shall not be affected thereby, it being the intent of the City Council in adopting this ordinance that no portion thereof or provisions, or regulations contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof and all provisions of this ordinance are declared to be severable for that purpose.


PART 4. That the rule requiring the reading of ordinances on three separate days be and is hereby suspended upon the receipt of five votes in favor of this ordinance.

PART 5. That this ordinance shall become effective upon the effective date of an ordinance or resolution enacted by the City Council of the City of Lago Vista accepting the territory described herein into the extraterritorial jurisdiction of the City of Lago Vista.

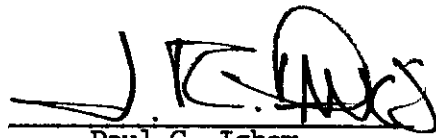
PASSED AND APPROVED

February 27, 1986

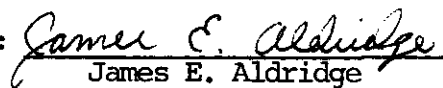
§
§
§
§


Frank C. Cooksey
Mayor

APPROVED:


Paul C. Isham
City Attorney

ATTEST:


James E. Aldridge
City Clerk

Wmc/saf
etj ord/annex

